

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEW MEXICO**

OFFICE OF THE ATTORNEY GENERAL FOR THE  
STATE OF NEW MEXICO,  
FIRST JUDICIAL DISTRICT ATTORNEY'S OFFICE,  
LAW OFFICES OF THE PUBLIC DEFENDER,  
NEW MEXICO FAITH COALITION FOR IMMIGRANT JUSTICE,  
ENLACE COMUNITARIO, and  
EL CENTRO DE IGUALDAD Y DERECHOS,

Plaintiffs,

v.

Civil Action No. 20-cv-730 LF-JFR

U.S. IMMIGRATION AND  
CUSTOMS ENFORCEMENT,  
TONY H. PHAM, in his official capacity as  
Acting Deputy Director of U.S. Immigration and  
Customs Enforcement and Senior Official  
Performing the Duties of the Director,  
COREY PRICE, in his official capacity as  
Director of the El Paso Immigration and Customs  
Enforcement Field Office,  
U.S. DEPARTMENT OF HOMELAND SECURITY, and  
CHAD WOLF, in his official capacity as  
Acting Secretary of United States Department of  
Homeland Security,

Defendants.

**STIPULATION OF DISMISSAL WITHOUT PREJUDICE [DOC. 35]**

The Parties respectfully move the Court pursuant to Fed. R. Civ. P. 41 for an Order dismissing all claims without prejudice. As grounds therefore, the Parties state as follows:

1. Plaintiffs' claims in this case all challenge U.S. Immigration and Customs Enforcement ("ICE") Directive No. 11072.1, entitled "Civil Immigration Enforcement Actions Inside Courthouses" (the "Directive"). *See* Doc. 1.

2. On April 27, 2021, ICE and U.S. Customs and Border Protection ("CBP") issued a memorandum revoking the Directive and replacing it with interim guidance regarding civil

courthouse arrests. *See* Memorandum from ICE Acting Director Johnson and CBP Acting Commissioner Miller to ICE and CBP, Civil Immigration Enforcement Actions in or near Courthouses (Apr. 27, 2021).<sup>1</sup>

3. The April 27, 2021 Memorandum strictly limits the circumstances under which ICE or CBP will conduct civil courthouse arrests.

4. The Parties stipulate that the April 27, 2021 Memorandum moots Plaintiffs' claims by revoking the Directive and strictly limiting the circumstances under which ICE or CBP will conduct civil courthouse arrests.

5. Accordingly, the Parties hereby stipulate to the dismissal without prejudice of Plaintiffs' claims.

Respectfully submitted,

**AMERICAN CIVIL LIBERTIES  
UNION OF NEW MEXICO**

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**MARTINEZ, HART,  
THOMPSON & SANCHEZ, P.C.**

/s/ Julio C. Romero

Julio C. Romero

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<sup>1</sup> Available online at <https://www.cbp.gov/sites/default/files/assets/documents/2021-Apr/Enforcement-Actions-in-Courthouses-04-26-21.pdf> (last visited June 30, 2021) (the "Memorandum")

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**I HEREBY CERTIFY** that a copy of the foregoing was served upon all counsel of record via the CM/ECF system on this 2<sup>nd</sup> day of July, 2021.

/s/ *María Martínez Sánchez*  
María Martínez Sánchez